G. R. S. 59]

GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1901-02
~~191~~.
(Inurai)

File No. 188

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Sanctioning the payment of Inurai Stipend due to Mr. Aspawal Advocate Mysore.

PREVIOUS REFERENCES.	LATER REFERENCES.

1901

Proceedings of the Chief Commissioner of Mysore, Financial Department, 10th December 1877.

READ —

Docket No. 130, dated 23rd November 1877, from the Commissioner, Nundydroog Division, submitting for sanction a bill for Rs. 42—7—8, being the arrears of Muzrayi Allowances due to two Stipendiaries, Ali Beg and Syed Hussen, in the Kolar District.

No. 8004—15, DATED BANGALORE, 10TH DECEMBER 1877.

ORDER THEREON.—In the two cases above referred to, the arrears claimed are for long periods of 16 and 105 months, but the Chief Commissioner sanctions the payment of the amount, *viz.*, Rs. 42—7—8 on the understanding that the Deputy Commissioner has satisfied himself that the allowances were confirmed to the individuals concerned, by the Inam Department, and directs that, in future, the Deputy Commissioners should warn all Muzrayi stipendiaries that, if the stipends are left undrawn for more than six months, the payment of the arrears will not be allowed on the mere pretext of illness or other inconvenience and such arrears will, except for very satisfactory reasons, be treated as cancelled.

T. R. A. THUMBOO CHETTY
Asst. Secretary.

To—The Commissioner of Nundydroog Division with bill.
" Commissioners of Ashtagram and Nagar, for information.
" Deputy Accountant General.
" Deputy Commissioners of Districts.

1877.

GOVERNMENT OF MYSORE.

FINANCIAL

THE COMMR., NUNDYDROOG DIVISION.
„ COMMRS. OF ASHTAGRAM & NAGAR DIVISIONS.
„ DY. ACCOUNTANT GENERAL.
„ DY. COMMISSIONERS OF DISTRICTS.

Dated December 10th.

Despatched

Received No. 8004.
15.

Sanctions the arrears of Muzrayi allowances due to two stipendiaries, Ali Beg and Syed Hussen in the Kolar District, and directs that, in future, if the stipends are left undrawn for more than six months, the payment of the arrears will not be allowed.

(General Serial No. 30).

189/ 1885 In 25. DIWAN OF MYSORE

From

The Deputy Commissioner
Tumkur District

To

The Chief Secretary
to the Government of Mysore.

Dated 28th May 1891.

Despatched

Received

Enclosures No. 1

General No.

No. 102

Has the honor to submit herewith an application from Mr. Advocate Raghava Char of Mysore, praying that the monthly Muzroi Stipendiary allowance of Rs. 2-6-8, now payable at Pawgad, may be transferred to Mysore, and to recommend that the transfer may be effected.

2. The application was first forwarded to the Comptroller who has returned it with his docket No. 910 dated the 25th Instant with the remark that the sanction of Government should be obtained to the transfer.

Offg. Deputy Commissioner

Recd.

Aug 7 1891
30/7/91

as requested by him but there is no objection to the transfer to Mysore Taluk. As Pavagada is very far from Mysore where the applicant now resides, it is very inconvenient to him to appear and receive his allowance ~~of Rs. 2-6-8~~ monthly in the Pavagada Taluk.

~~Under such circumstances~~ Govt are pleased to accord sanction to the transfer of the payment of the Muzrai allowance of Mr. Advocate Raghavachar, viz Rs. 2-6-8 per mensem from the Pavagada to the Mysore Taluk.

A1

Under Secy.

To The Dy Commr Tumkur Dist returning the application

" Dy Commr Mysore Dist

" Comptroller for C.V. information.

7.

(General Serial No. 30).

1891

From

To The Dy. Commr Tumkur Dist

" Dy. Commr Mysore Dist

Dated " Comptroller

Despatched 2-7-91.

Received 3-7-91.

Enclosures No.

General No. 3698-7 O.P.

In No. 142

According sanction to the transfer of the payment of the Muzrai allowance of Mr. Advocate Raghavachar, viz. Rs 2. 6. 8 per mensem from the Pavagada to the Mysore Taluk.

Read

Docket No. 102 dated 28th May 1891 from the Dy Commr, Tumkur Dist, forwarding an application from Mr. Advocate Raghavachar of Mysore praying that his Mu-zrai allowance of Rs. 2-6-8 per mensem now payable in the Pavagada Taluk of the Tumkur Dist may be transferred to Mysore where he lives

No. 3698-702 / M. 142 Order thereon —

As all the Mu-zrai allowances are generally payable in Taluks the payment of the Mu-zrai allowance of Mr. Advocate Raghavachar cannot be transferred to the Mysore Dist Treasury

Office Note.

So far back as 1891, one Mr. Advocate Raghava-Char, applied to the Dy Commr. of Tumkur praying that the monthly Muzrai Stipendiary allowance* of Rs 2-6-8 payable to him from the Pavagada Taluk might be transferred to Mysore as the Stipendiary was permanently residing at that place. The Govt. in their Ro: No. 3698-700/M-142 of the 3rd July 1891 sanctioned the transfer of the

* For life only

payment of the allowance from Pavagada to Mysore Taluk.

Ever since the Stipendiary never appeared to draw his allowance. Recently in July 1901, he for the first time petitioned the District Munsiff Officer of Mysore stating that the Taluk authorities refused payment of the arrears & requesting the disbursement to him of the arrears of his allowance. The Dt. Munsiff Officer thereupon called the Taluk Amildar to submit a Bill for the amount due to the Stipendiary.

In submitting the Bill for Rs 273-1-4 being the arrears of allowance due to the Stipendiary for 9 years & 5 months, the Auildar reports that the name of the Stipendiary is not in-cluded in the Taluk Baravard. The Dy Commr however submits the bill for sanction of Govt.

The late Chief Commrs No. 8004-15 dated 10th December 1877 directs that the arrears of such allowance left-undrawn for more than 6 months, will not be allowed on the mere

× Printed copy put up

11

pretext of illness & other inconvenience & that such arrears will, except for very satisfactory reasons be treated as cancelled.

This Department has re-published the above order for general information. ~~on various occasions~~

The petitioner merely urges that he did not draw his allowance because he wanted to draw the amount all in a lump sum

Submitted to the Diwan for orders.

The amount has lapsed to Govt.

31/3/01

The standing minute cancel

27.XII 01

15/8/01

1901

FROM The Deputy Commissioner Mysore Dist.

To The Deputy Secretary Government of Mysore Revenue Deptt

Dated 31 July 1901

Despatched

Received 1.8.01

General No. 36

No.

Enclosure No. 1 Enf. 6

OFFICE OF THE DEWAN OF MY
RECEIVED
Date 5.8.01
REG. No. 105
MUZRAI BRANCH

3/8/01

Has the honor to forward herewith for sanction a bill for Rs 273.1.4, being the amount of Reality money allowance in arrears, from July 1891 to the end of November 1900, at Rs 2.6.8. per month, due to Mr Raghavachar Advocate as per Government Proceedings No 3695-700 / R. 143 of the 2nd July 1891

Mysore Inam Enclosure. Enclosure No 6 dated 23.7.01.

of which, together with Mr Raghavachari's application and the Stipend order held by him is enclosed for reference

[illegible]

for Deputy Commissioner

Mysore Dist

Minute

Read the following papers —

(1) The Late Chief Comr's Proceedings no 8004-15 dated 10th December 1877, directing that, if Minute stipends are left undrawn for more than six months, the payment of the arrears will not be allowed, on the mere pretext of illness or other inconvenience, and that such arrears will, except for very satisfactory reasons, be treated as Cancelled.

(2) Govt Res no 3698-700 Mig 142

dated 2nd July 1891,

according sanction to the

transfer of the payment of

the mugrai allowance of

Mr. Advocate Raghavachar,

viz Rs 2-6-8 per mensem, from

the Sarvagada to the Mysore

Taluk.

Read (3) Docket no 36 dated

31st July 1901, from the

Deputy Commr, Mysore Dt,

forwarding for sanction

a bill for Rs 273-1-4, being

the amount of Ready money

allowance in arrears, from

July 1891 to the end of

November 1900, at Rs 2-6-8

per mensem, due to Mr Raghavachar,

Advocate

No. 962-70
MWZF 68-92
D/ 31/12/07
Sri Upto

Advocate.

Order thereon :-

So far back as 1891, Mr. Advocate Raghavachar, applied to the Dy Commr of the Tumkur District, praying that the monthly Mugrai stipendiary allowance of Rs 2-6-8 payable to him from the Pavagada Taluk, might be transferred to Mysore, where he was residing. The Government in their Ex no 3698-700 dated 2nd July 1891 were accordingly pleased to sanction the transfer. But it is observed from the

Vernacular Correspondence now received from the Dy Commr of the Mysore District that ever since the transfer of the allowance in question to the Mysore Taluk in 1891 the stipendiary never appeared to draw his allowance and that ~~till very recently~~ in July 1901 i.e. ~~for~~ about nearly ten years, after he, for the first time petitioned the District Magistrate Officer of Mysore praying for the payment of the arrears of his allowance.

2. In submitting a ~~to~~ bill for Rs 273-1-4 being the arrears of the allowance due

to the ~~Award~~ stipendiary

for 9 years and 5 months,

from the 1st July 1891 to the end of November 1900 — the Amildar reported to the Dy Commr that the name of the stipendiary had ~~been~~ been not included in the Baraward of the Mysore Taluk from the time ~~since~~ the allowance was transferred from the Ramagadu Taluk, by reason of the non-appearance of the stipendiary to receive payment from time to time. ~~But the~~ The Dy Commr however, submits the bill for sanction of Govt although the amount has lapsed to the State, ~~and being drawn in time.~~

3 The stipendiary, in his petition to the District Magistrate Officer, states that he did not draw the allowance from time to time, because he wished to draw ~~[illegible]~~ it ~~[illegible]~~ in a lump sum

4 This reason, the Govt think, is not ~~[illegible]~~ satisfactory and they therefore direct that the standing order on the subject issued by the late Chief Commr in, Gen No $\frac{8004}{15}$ dated 10th December 1877, noted above, must be enforced.

5 The Bill is accordingly returned unsanctioned

(Devoni's order) 31/12/81

Deputy Secretary

To

The Dy Commr Mysore Dt,

returning the enclosures.

The Dy Commrs of other Dts

and the Salaar Controller

for information

Trivl.

Proceedings of the Government of Mysore, Muzrai, dated 31st December 1901.

READ THE FOLLOWING PAPERS—

(1) The late Chief Commissioner's Proceedings No. 8004-15, dated 10th December 1877, directing that, if Muzrai stipends are left undrawn for more than six months, the payment of the arrears will not be allowed on the mere pretext of illness or other inconvenience, and that such arrears will, except for very satisfactory reasons, be treated as cancelled.

(2) Government Proceedings No. 3698-700—Muz. F. 142, dated 2nd July 1891, according sanction to the transfer of the payment of the Muzrai allowance of Mr. Advocate Raghavachar, *viz.*, Rs. 2-6-8 per mensem from the Pavagada to the Mysore Taluk.

(3) Docket No. 36, dated 31st July 1901, from the Deputy Commissioner, Mysore District, forwarding for sanction a bill for Rs. 273-1-4, being the amount of Ready Money allowance in arrears from July 1891 to the end of November 1900, at Rs. 2-6-8 per mensem, due to Mr. Raghavachar, Advocate.

No. 962-70, DATED BANGALORE, 31ST DECEMBER 1901.

ORDER THEREON.—So far back as 1891, Mr. Advocate Raghavachar applied to the Deputy Commissioner of the Tumkur District, praying that the monthly Muzrai stipendiary allowance of Rs. 2-6-8, payable to him from the Pavagada Taluk, might be transferred to Mysore, where he was residing. The Government in their Proceedings No. 3698-700—Muz. F. 142, dated 2nd July 1891, were accordingly pleased to sanction the transfer. But it is observed from the vernacular correspondence now received from the Deputy Commissioner of the Mysore District, that, ever since the transfer of the allowance in question to the Mysore Taluk in 1891, the stipendiary never appeared to draw his allowance; and that in July 1901, *i. e.*, nearly 10 years after, he, for the first time, petitioned the District Muzrai Officer of Mysore, praying for the payment of the arrears of his allowance.

2. In submitting a bill for Rs. 273-1-4, being the arrears of the said allowance due to the stipendiary for 9 years and 5 months, from the 1st July 1891, to the end of November 1900, the Amildar reported to the Deputy Commissioner that the name of the stipendiary had not been included in the Baraward of the Mysore Taluk, from the time the allowance was transferred from the Pavagada Taluk, by reason of the non-appearance of the stipendiary to receive payment from time to time. The Deputy Commissioner, however, submits the bill for sanction of Government, although the amount has lapsed to the State.

3. The stipendiary in his petition to the District Muzrai Officer, states that he did not draw the allowance from time to time, because he wished to draw it *in a lump sum.*

4. This reason, the Government think is not satisfactory and they therefore direct that the Standing Order on the subject issued by the late Chief Commissioner in Proceedings No. 8004-15, dated 10th December 1877 read above, must be enforced.

5. The bill is accordingly returned, unsanctioned.

Deputy Secy., Muzrai Dept.

To—The Deputy Commissioner, Mysore District, returning the enclosures.
The Deputy Commissioners of other Districts, for information.
The Palace Controller, Mysore, for information.

Exd.—J.T.R.

1901-1902

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 31st December 1901

No. 962-70

Declining, for reasons stated, to sanction the payment of the arrears of Muzrai Ready Money allowance due to Muzrai Stipendiary Mr. Raghavachar, Advocate.

SBP—7-1-1902—200

Submitted

With reference to the Darwan's orders dated 23rd March 1902, recorded on my Raghunathan's application no 851, I beg to say that he saw the Deputy Secretary on the 9th May 1902 and urged as follows in support of his claim :—

Firstly :- That the proceedings of the Chief Commissioner cited in the final order disallowing his claim did not appear to have been published

in the Gazette, nor had it been sanctioned by the Supreme Government to have the force of Law

And secondly:-

that on a previous occasion he drew a large arrears of allowance without any difficulty, the payment of which has been recorded on the stipend order.

In these circumstances he begged the payment of arrears this time

Submitted

hs

11/7/02

Subd to the Diwan

Under these circumstances I think the arrears may be sanctioned as a special case and charged to Murzpai Savings.

11/7/02

ED 4.7.02
S-141

5914

all right - he was known to this la concession. weight could allowed with my but the late CC did not reserve unanimously the proper fact

14.VII.

15/7

Transferred to Revenue Department
24.2.02

1.3.02

OFFICE OF THE DEWAN OF MYSORE
RECEIVED
Date 10-3-02
REG No 851
MUZRAI BRANCH

To orders

Submitted to the Dewan for orders with previous papers.

Petitioner prays for a re-consideration of the orders passed in Govt Ro No. 962-70 d: 31st Dec 1901.

22/3/02

24/3/02

27.3.02 4371
3938 Your hear Mr Raghavachar
send a addl note

29.III.02

Recd 2.IV.02

4/4/02

1902

No.	2490
Name of Petitioner	V Raghavachar
Village	Advocate
Taluk	Mysore
District	
Date of Arzi	
Date of Receipt	24-2-02
Date of Disposal	
No. of Enclosure	

ABSTRACT

Prays for renewal of Govt. grant to him concerning the payment of Allowance Rs 273-14 due to him from 1st July 1891 to the end of November 1900, on the following grounds

(1) That the Chief Commissioner's proceedings does not absolutely forfeit the allowance

(2) That the same does not appear to have been published in the Govt Gazette, nor has it been sanctioned by the Supreme Govt.

(3) That if the petitioner

had known that the said
proceedings was ~~extor~~ existing,
he would not have allowed
his stipend to fall into arrears
4) That the Inam settlement
lays down no conditions
regarding the time for the
drawing of the stipend
HB
26/2

24908
24-2-1902

2490 To

Two Rupees Stamp affixed

The Dewan to Her Highness the Maharanee
Regent of Mysore

10-3-02
851

The humble petition of V. Raghavachar Advocate
Residing in Mysore. Respectfully sheweth

I That the petitioner is a Inuzzeroy Stipendiary drawing a monthly allowance of Rs 2-6-8. Originally he drew this from Pawagada Taluk Treasury. He was transferred to Mysore Taluk in 91

II That the petitioner applied about 7 months ago for the payment of the allowance in arrears R. 273-1-4 due to him from 1st July 1891 to the end of November 1900 and the Deputy Comr of Mysore sent up a bill for this amount for the sanction of the Govt, but it has not been sanctioned by the Govt. The Deputy Comr has returned to the petitioner his Stipendiary order and also has served him a copy of the Govt proceedings No 3698-700 about twenty days ago.

III That from the proceedings the petitioner has for the 1st time that there is the Chief Comrs proceedings under which a Inuzzeroy Stipendiary who allows his Stipend to fall into arrears for more than 6 years incurs the risk of its being witheld for his negligence.

IV That with reference to this proceedings of the Chief Comr the petitioner humbly begs to submit

(a) That it does not a... forfeit the allowance and reserve a discretion for Govt.

(b) that it does not appear to have been published in the Govt Gazette nor has it been sanctioned by the Supreme Govt. to ~~become an~~ have the force of law.

(c) that as it is only a Govt proceedings, that the maxim of the law "that a person is presumed to know the law" does apply to it.

V That if the petitioner had known that there is the Chief Court proceedings he would not have allowed his stipend to fall into arrears as he could have very easily drawn it ~~away~~ from the Krishnarajpet Talook treasury. That he was not aware of its existence is also strengthened by the circumstance that on a previous occasion he has drawn a large arrears of allowance without any difficulty and this payment has been endorsed on the back of his stipendiary certificate.

VI That the petitioner further humbly begs to think that as the Inam settlement lays down conditions regarding the time for the drawing of the stipends and the payment is promised to the stipendiary so long as he is loyal to the State. the Chief Court proceedings does not affect this promise in any way

The petitioner humbly prays that the Govt may be pleased after considering the circumstances now brought to its kind consideration to Review the petitioners case and order the payment of the arrears due to the petitioner. for which act of favour the petitioner shall as in duty bound ever pray &c &c

Your most obedient & humble Servant
V. Raghavachar
Advocate
Mysore

Dated
th February 1912

Note. A Copy of the Stipendiary order is herewith Submitted. The Original if necessary will be produced.

Name of Stipendiary Kenkatapura Rangachariar son of Sreeniwasachar

No of Order	Hyd. Dist.	Taluk	Name of the District	Name of Taluk	Personal identification	Height feet inches	Date of Sanad or Approximate date of birth	Caste	Amount of Stipend	For what service or why
23	I	I	Tumkur	Pavagada	A hole on the left cheek and a scar on the right arm. Stout, fair and of middle stature	5 feet and 3 inches	1855 Bhattra-Shu Thursday in the year Shobhakrit	Sreevaishnava Brahmin	Rs 2-6-8 Rupees two annas six and pies eight only, per mensem	For personal benefit of the Recipient only

To

The Deputy Commissioner of the Tumkur District

Sir. Until further notice and on the expiration of [illegible] the [illegible] be pleased to pay to Kenkatapura Rangachariar [illegible] the Amildar of Pavagada the sum of Rs 2-6-8 being [illegible] the [illegible] ready money allowance as Inuzzarayi stipend [illegible]

Note-1 &c printed at the foot

Dated

Office of the Dewan of Mysore

Bangalore 4th December 1890

[illegible]

Every payment to be recorded below by the Disbursing Officer

When paid	For the month of	Amount			Initials of the Disbursing Officer
		Rs	a	p	
8/1 [illegible] 6 [illegible] 6	[illegible] 10-3-91 [illegible] 123 [illegible] 890 [illegible]	294	10	10	RR [illegible]
[illegible]	1890 [illegible] 2-6-8 [illegible] 91 [illegible] 2-6 8 2-6-8 [illegible] 2-6 8 2-6-8 [illegible]	12	1	4	RR. [illegible]
10-6-901	901 [illegible] 901 [illegible] 2-6-8 [illegible]	14	8	0	[illegible]
25-7-901	901 [illegible]	2	6	8	[illegible]
6 2-902	1901 [illegible] 2-6-8 [illegible]	14	8	0	[illegible]
		[illegible]			

Endorsement.

No 1667.
dt 26.4.02

With reference to his Review Petition No. 2490/857 dt 24th February 1902, praying for a re-consideration of the orders passed in regard to the arrears of Mugrai Ready money allowance due to him, Mr Raghavachar, Advocate is informed that he ~~[illegible]~~ will be heard by the undersigned ~~when next he will be at~~ Mysore, when he goes there next

~~Ry Order~~

Dewan's Order

22/4/1902

Dy Secy to Govt in charge Mugrai Depts

No. 142-3

d/ 18/7/02

d. 144

Murzai

Read again :—

Govt. Pro: No. 962-70 d/ 31st Decr. 1901, declining for reasons stated, to sanction the payment of the arrears of Murzai Ready money allowance due to Advocate Mr. Raghavachar a Murzai Stipendiary of the Mysore Taluk.

And,

Review petition No. 851 d/ 10th March 1902, from Mr. Raghavachar, praying for a re-consideration of the orders passed in the Govt. order of the 31st Decr. 1901

payment to
vis

Order thereon No.

In his Review

Petition, Mr. Raghavachar urges ~~to~~ three points in support of his present claim for the arrears of the stipend amount :-

~~argues that the Proceedings~~ of the late Chief Commr. cited in the Govt. order read above, disallowing his claim to the arrears of Muzrai allowance, was not published in the Mysore Gazette, neither had it been sanctioned by the Supreme Govt. to have the force of Law. ~~and to abrogate~~

Secondly :- that the Proceedings

~~He urges~~ that ~~at~~ on a previous occasion he drew ~~a~~ large arrears of allowance, in a lump sum. ~~the Govt. may be pleased to sanction the payment of the arrears of Rs 273-1-4 in question.~~

And thirdly :- that he was unaware of the existence of such an ~~order~~ order disallowing the payment of the arrears

~~2. Under these circumstances, if left unbrunon for the arrears amounting~~ more than 6 months

No weight can be attached to the petitioner's first argument that in order of the late Chief Commr. did not receive the sanction of the Supreme Govt. but charge being debited to the Supreme Govt. taking into consideration the other two points set forth in the Review Petn., the Govt. are pleased to be warned to reconsider their order to the 31st December 1901, and to ~~disallow the~~ sanction as a special case the payment to the arrears viz Rs 273-1-4) due to the Petnr Mr Raghavachar for 9 years & 5 months from the 1st July 1891 to the end of the year 1900 ~~as sanctioned~~ ~~as a special case~~ the ~~but~~ charge being debited to the savings of the Mysore Budget of the current year. Mr. Raghavachar should, however, be warned that no such concession will be accorded to him in the future. ~~this is the last concession~~. No weight can be attached to the argument that the order of the late Chief Commr. did not receive the sanction of the Supreme Govt.

Dewan's order

To, The Dy Commr. Mysore Dt
" Comptr. Mysore Bore

for Dy Secy
Mun: Dept

P.T.O.

1810/144

Endorsement.

In reply to his Review petn. No. 857 of 10th March 1902, praying for re-consideration of the orders of Govt., declining to sanction the payment to him of the arrears of Mysore Ready money allowance, Mr. Raghavachar, Advocate, is informed that ~~under the circumstances set forth in his petn.~~, the Govt. ~~have~~ are ~~be~~ pleased to sanction, as a Spl. case, the payment of the arrears of Rs 273-1-4 ~~payable~~ due to him from the 1st July 1891 to the end of November 1901

Mr. Raghavachar is however warned that ~~this is the last concession~~ no such concession will be shown hereafter.

~~No weight can be attached to the argument~~ to the contention of his that the order of the Cde chief comm. did not receive the sanction of the Supreme Govt.

By order

Dbt. 16.7.02

Ds for Dy Secy